



RECEIVED

AUG 12 2003

TECH CENTER 1600/2900  
#12  
8/18/03

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED MAIL STOP FEE AMENDMENT COMMISSIONER FOR PATENTS, P.O. BOX 1450 ALEXANDRIA, VA 22313-1450 ON THE DATE INDICATED BELOW.

BY: S. McLaren

DATE: August 6, 2003

PATENT  
MAIL STOP FEE AMENDMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent Application of Boris Skurkovich et al.	:	Group Art Unit: 1646
		:	
Appln. No.:	09/511,972	:	Examiner: Prema M. Mertz, Ph.D.
		:	
Filed:	February 24, 2000	:	
		:	
For:	METHODS FOR PREVENTION AND TREATMENT OF ASTHMA AND ALLERGIC CONDITIONS	:	Attorney Docket No. 053663-5004
		:	

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated April 18, 2003 (Paper No. 9) and the Telephone Interview with Examiner Mertz on July 21, 2003, Applicants hereby elect to prosecute the claims of Group 43, claims 41-42, 53-54, 62-64, 72-73, 80-81, 88-89, and 95-99, as well as claim 45, without traverse. This Response is being timely filed in view of the accompanying Petition for Three-Month Extension of Time, and associated fee, which extends the time for response to the Restriction Requirement to and through August 18, 2003.

In the Telephone Interview with Applicants' representative, Justin Brennan, it was concluded that claims 95-99 were inadvertently omitted from the Restriction Requirement, but had these claims been included in the Restriction Requirement, they would have been placed in Group 43. In addition, in a second Telephone Interview on July 21, 2003, Applicants' representative and Examiner Mertz agreed that claim 45 should also be included in the claims of Group 43. Further, Applicants' representative and Examiner Mertz agreed that the one polypeptide, one nucleic acid, or one peptide to be selected shall be an anti-histamine antibody.

RECEIVED

AUG 12 2003

TECH CENTER 100-2003

Applicants are of the understanding that Examiner Mertz will enter an Interview Summary in the record to memorialize the agreement reached in the Telephone Interviews.

Applicants submit herewith, as a separate paper, a Supplemental Amendment to the claims, as requested by Examiner Mertz in the Telephone Interviews on July 21, 2003.

Favorable examination of the claims on the merits is respectfully requested.

Respectfully submitted,

**BORIS SKURKOVICH ET AL.**

August 6, 2003  
(Date)

By:

Kathryn Doyle  
**KATHRYN DOYLE, Ph.D., J.D.**  
Registration No. 36,317  
MORGAN, LEWIS & BOCKIUS, L.L.P.  
1701 Market Street  
Philadelphia, PA 19103  
Telephone: (215) 963-5000  
**Direct Dial: (215) 963-4723**  
Facsimile: (215) 963-5001  
E-Mail: [kdoyle@morganlewis.com](mailto:kdoyle@morganlewis.com)

KD/JDGB

Enclosures: Petition for Three-Month Extension of Time with Fee Authorization  
Supplemental Amendment